

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

No. 12-40469

United States Court of Appeals
Fifth Circuit

FILED

June 18, 2014

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff–Appellee,

v.

XAVIER DEGOLLADO,

Defendant–Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 7:11-CR-1824-1

ON REMAND FROM
THE SUPREME COURT OF THE UNITED STATES

Before REAVLEY, ELROD, and HAYNES, Circuit Judges.

PER CURIAM:*

Defendant–Appellant Xavier Degollado was convicted of receiving child pornography in violation of 18 U.S.C. § 2225A(a)(2)(A). On appeal, Degollado challenged the resulting sentence of imprisonment and order of restitution. We affirmed. *United States v. Degollado*, 547 F. App’x 592 (5th Cir. 2013).

The Supreme Court vacated our judgment and remanded for further consideration in light of *Paroline v. United States*, 134 S. Ct. 1710 (2014). In

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

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Paroline, the Court held that 18 U.S.C. § 2259 requires “restitution in an amount that comports with the defendant’s relative role in the causal process that underlies the victim’s general losses.” 134 S. Ct. at 1727.

Accordingly, we VACATE the order of restitution, and we REMAND for proceedings consistent with the Supreme Court’s opinion in *Paroline*. We once more AFFIRM the sentence of imprisonment.

AFFIRMED IN PART; VACATED and REMANDED IN PART.